

Exhibit O

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

| | | |
|---|---|-----------------------|
| -----X | : | |
| | : | |
| In Re Terrorist Attacks on September 11, 2001 | : | 03 MDL 1570 (GBD)(SN) |
| | : | |
| -----X | : | |

DECLARATION OF LAWRENCE D. BUCKLEY, JR.
FEDERAL BUREAU OF INVESTIGATION

I, Lawrence D. Buckley, Jr., hereby state and declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and since January 2023 have been assigned as the Deputy Assistant Director of the FBI's Security Division in Washington, D.C. Prior to my current assignment, I served in various capacities including as a Special Agent in the Washington Field Office, a Supervisory Special Agent in the National Security Branch at FBI Headquarters and in the San Francisco Division, and a Section Chief in the Intelligence Branch and the Counterterrorism Division. I entered on duty with the FBI as a Special Agent in August 2002.

2. From approximately November 2021 to April 2022, while in the position of Section Chief in the FBI's Counterterrorism Division, I held a supervisory role over the team of FBI personnel working on the FBI's response to Executive Order ("EO") 14040, issued by the President on September 3, 2021. EO 14040 required the FBI to conduct a declassification review of certain categories of documents concerning the FBI's investigation into the terrorist attacks on September 11, 2001, and related matters, and to publicly release those documents

to the extent consistent with the terms of the EO. During that time, I reviewed the documents being processed by the FBI for release in response to the EO.

3. On the basis of my current and past assignments in the FBI, I am personally familiar with the FBI's policies and procedures regarding the creation and maintenance of FBI files and its record-keeping practices. The purpose of this declaration is to provide a certification of the documents described herein, in accordance with Rule 902(11) of the Federal Rules of Evidence.

4. The matters stated herein are based on information furnished to me in my official capacity by employees of the FBI, my review and consideration of documents, information available to me in my official capacity, my experience supervising the team of personnel working on the release of documents in response to EO 14040, and my general experience as an FBI Special Agent. I was not personally involved in the creation of the documents described in this declaration.

5. The FBI's mission is to protect the American people and uphold the U.S. Constitution. Protecting the United States from terrorist attacks is the FBI's number one priority.

6. The FBI publicly released in excess of 4,000 pages of documents in response to EO 14040. In addition, subsequent to the public release of documents, and pursuant to the FBI protective order in this case, the FBI produced versions of the same documents to the Plaintiffs' Executive Committee and counsel for defendants Kingdom of Saudi Arabia and Dallah Avco, but without the Privacy Act redactions that had been made to the publicly released versions. With one exception,¹ the records produced by the FBI in response to EO

¹ In response to EO 14040, the FBI produced select pages from a July 2004 DOJ Office of Inspector General Report. The select pages produced are true and correct copies of the pages in the FBI's possession, but this declaration does not purport to certify those pages under Rule 902(11).

14040 were created or collected as part of the regular practice of the FBI in carrying out its national security and law enforcement missions. Those records fall into the following categories:

- a.* Reports of FBI interviews and debriefs: the documents produced at bates stamp pages² 15-84, 91-132, 135-194, 198-205, 249-257, 279-306, 334-342, 401-417, 428-457, 518-526, 533-535, 670-672, 680-684, 696, 724-730, 731-742, 748-751, 800-803, 832-834, 849-851, 889-895, 906, 938-941, 984-986, 1031, 1038-1040, 1043-1045, 1047, 1049-1051, 1053, 1070, 1187-1188, 1227-1244, 1248-1250, 1252-1255, 1257-1260, 1262, 1265-1297, 1302-1328, 1353, 1358, 1364-1365, 1369, 1374-1375, 1379-1380, 1385, 1390-1391, 1418-1485, 1489-1492, 1497-1505, 1511-1515, 1537-1552, 1571-1589, 1593-1594, 1599-1649, 1699-1706, 1715-1727, 1734-1735, 1739-1741, 1746-1787, 1800-1811, 1816-1830, 1832-1840, 1843-1890, 1894-1907, 1928-1931, 1947-1954, 1993-1995, 2008-2022, 2028-2032, 2036-2038, 2041-2053, 2057-2058, 2064-2071, 2080-2086, 2088-2112, 2118-2130, 2135-2138, 2141-2150, 2220-2245, 2355-2368, 2453-2455, 2534-2535, 2559-2560, 2583-2600, 2609-2621, 2625-2636, 2638-2643, 2687-2701, 2713-2714, 2722-2726, 2730, 2981-2983, 3116-3125, 3253-3254,

² With the exception of the April 4, 2016, electronic communication produced in response to EO 14040 section 2(a), the documents produced in response to EO 14040 have a bates stamp that begins with "EO14040" followed by the page number. For purposes of this declaration, I am only citing the page number. With respect to documents discussed in this declaration, redactions contained on the copies of original records were placed upon the copies by the FBI for the purpose of protecting information which was privileged, confidential, sensitive, classified, or otherwise warranted protection under applicable law. After the initial production of a document, the FBI sometimes produced a lesser redacted version of the same document and added a notation to the bates stamp indicating that it was a revised copy. For the sake of brevity, I am noting the bates stamp number of each document only once, and am not separately listing the "revised" notation of a later produced copy of the same document with the same bates stamp number.

3344-3346, 3465-3472, 3609-3616, 3636-3644, 3672-3673, 3823-3826, 3828-3830, 3900, 3960-3961, and 3965-3967, are true and correct copies of reports of FBI interviews and debriefs of witnesses and confidential human sources, sometimes referred to as “assets.” Interview reports are typically prepared in an “FD-302” Report of Interview format but are sometimes in the format of an “Electronic Communication,” described more fully below. Interviews or debriefs of confidential human sources or assets sometimes appear in other formats including an FD-542 or FD-1023 (Confidential Human Source Reporting Document). In addition, a small number of the above-referenced interview reports are not in 302 or EC format and would be considered investigative file “inserts.” FBI personnel routinely create such reports to memorialize interviews or debriefs conducted as part of the FBI’s law enforcement and national security missions. An FD-302 or other interview or debrief report is not intended to be a verbatim transcript of the interview or debrief, and the FBI’s general practice is not to show those reports to witnesses, confidential human sources, or assets when the reports are created. The interview and debrief reports listed above were made as part of the regular practice of the FBI and were kept in the course of regularly conducted activities of the FBI.

b. Electronic Communications: the April 4, 2016, electronic communication produced in response to EO 14040 section 2(a) and the documents produced at bates stamp pages 001-014, 195-197, 212-221, 228-248, 258-272, 343-360, 373-400, 420-427, 536-581, 588-627, 637-650, 665-669, 692-695, 699-723, 743-747, 752-799, 811-820, 822-828, 835-836, 839-846, 852-879, 882-888, 898-905, 907-915, 920-923, 930-937, 945-947, 957-959, 962-972, 991-1003, 1006-1013, 1016-

1020, 1024-1026, 1028-1029, 1032-1034, 1041-1042, 1153, 1168-1170, 1175-1177, 1184-1186, 1193-1195, 1210-1212, 1219-1223, 1226, 1329-1352, 1354-1357, 1359-1363, 1366-1368, 1370-1373, 1376-1378, 1381-1382, 1386-1388, 1414-1415, 1493-1496, 1506-1508, 1516-1526, 1533-1535, 1668-1681, 1684-1698, 1707-1710, 1714, 1736-1738, 1742-1745, 1788-1799, 1932-1939, 1972-1978, 1987-1992, 1996-2004, 2024-2027, 2033-2035, 2039-2040, 2054-2056, 2072-2079, 2133-2134, 2151-2219, 2248-2250, 2253-2277, 2282-2353, 2369-2399, 2403-2452, 2456-2486, 2492-2520, 2526-2533, 2540-2545, 2552-2558, 2561-2567, 2570-2582, 2604-2605, 2644-2686, 2702-2712, 2715-2721, 2732-2831, 2844-2863, 2919-2975, 2984-3014, 3022-3088, 3092-3096, 3101-3104, 3126-3184, 3188-3213, 3217-3252, 3255-3297, 3299-3339, 3352-3353, 3357-3412, 3443-3460, 3473-3608, 3629-3635, 3645-3658, 3659-3668, 3674-3748, 3777-3784, 3787-3821, 3897-3899, 3905-3959, 3962-3964, 3971-3973, 3977-3981, 3989-3990, 3994-4011, and 4012-4070 are true and correct copies of internal FBI documents known as "Electronic Communications" (ECs).³ ECs are routinely prepared by FBI personnel to convey investigative information, set investigative leads, or to comply with administrative requirements, and are created and sent electronically within an FBI field office or overseas legal attache office or between FBI field offices or legal attache offices and/or FBI Headquarters in Washington, D.C. These ECs were made as part of the regular practice of the FBI and were kept in the course of regularly conducted activities of the FBI.

³ I have not listed here the interview reports in EC format which are already listed in paragraph 6. a., above.

c. Other FBI Documents Reflecting Investigative Activity: the documents produced at bates stamp pages 085-090, 133-134, 206-211, 222-227, 273-276, 361-372, 418-419, 458-487, 527-532, 582-587, 651-664, 6763-679, 685-691, 697-698, 804-810, 821, 829-831, 837-838, 847-848, 880, 896-897, 916-919, 924-929, 942-944, 948-956, 960-961, 973-983, 987-990, 1004-1005, 1014-1015, 1021-1023, 1027, 1030, 1035-1037, 1046, 1048, 1052, 1054-1069, 1071-1152, 1154-1167, 1171-1174, 1178-1183, 1189-1192, 1196-1209, 1213-1218, 1224-1225, 1245-1247, 1251, 1256, 1261, 1263-1264, 1298-1301, 1383-1384, 1389, 1392-1413, 1416-1417, 1486-1488, 1509-1510, 1527-1532, 1536, 1553-1570, 1590-1592, 1595-1598, 1650-1667, 1682-1683, 1711-1713, 1728-1733, 1812-1815, 1831, 1841-1842, 1891-1893, 1908-1927 1940-1946, 1955-1971, 2005-2007, 2023, 2059-2063, 2087, 2113-2117, 2131-2132, 2139-2140, 2246-2247, 2251-2252, 2278-2281, 2354, 2400-2401, 2490-2491, 2521-2525, 2536-2539, 2546-2547, 2568, 2601-2603, 2606-2608, 2622-2624, 2637, 2727-2729, 2731, 2832-2843, 2864-2918⁴, 3015-3021, 3089-3091, 3097-3100, 3105-3115, 3185-3187, 3214-3216, 3298, 3347-3351, 3354-3356, 3461-3464, 3617-3628, 3669-3671, 3749-3776, 3785-3786, 3822, 3827, 3831-3832, 3837-3838, 3901-3903, 3968-3970, and 3974 are true and correct copies of FBI documents, other than interview and debrief reports and ECs, that reflect the FBI's investigative activities in connection with its law enforcement and national security missions. These reports of investigative activity are prepared in order to document the FBI's investigative activities and the results of those activities and, in some cases, to disseminate that information outside the FBI. These documents were made as part

⁴ This document is labeled as a draft.

of the regular practice of the FBI and were kept in the course of regularly conducted activities of the FBI.

d. Records Obtained From Third Parties: the records produced at bates stamp pages 3833-3836 and 3839-3896 are true and correct copies of documents obtained by the FBI from a third party, specifically, a communications provider. Such documents are typically obtained through legal process, such as grand jury subpoenas and national security letters. Obtaining records from third parties for investigative purposes is part of the regular practice of the FBI, and these records were kept in the course of regularly conducted activities of the FBI.

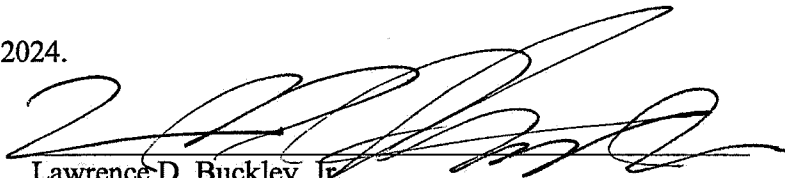
e. Records and Information Provided to the FBI by a Foreign Government: the documents produced at bates stamp pages 3975-3976, 3982-3988, and 3991-3993 are true and correct copies of records and information provided to the FBI by a foreign government. Obtaining records and information from foreign governments for investigative purposes is part of the regular practice of the FBI, and these records were kept in the course of regularly conducted activities of the FBI.

f. Cables and Teletypes between FBI and Other Government Agencies: the documents produced at 307-333, 628-636, 1979-1985, 2487-2488, 2548-2551, and 2976-2980 are cables and teletypes between the FBI and other federal government agencies providing investigative information and requesting investigative assistance. Communicating with the other federal government agencies in connection with law enforcement and national security investigations is part of the regular practice of the FBI, and these records were kept in the course of regularly conducted activities of the FBI.

g. The Joint FBI-CIA Report: the report produced at bates stamp pages 3414-3442 is a true and correct copy of a December 2004 Joint Intelligence Report prepared by the FBI and the CIA. Page 1 of the report (bates stamp page 3415) states that the report was prescribed by the Senate Select Committee on Intelligence in the FY 2004 Classified Annex S. 1025/S. Report 108-44. Providing reports mandated by Congress is part of the regular practice of the FBI.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of July 2024.

A handwritten signature in black ink, appearing to read 'Lawrence D. Buckley, Jr.', is written over a horizontal line.

Lawrence D. Buckley, Jr.
Deputy Assistant Director
Security Division
Federal Bureau of Investigation